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Agenda items 109 (a) and 112

**Human rights questions: implementation of human rights instruments**

**Programme budget for the biennium 2002-2003**

# Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

## Programme budget implications of draft resolution A/C.3/57/L.30

## Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedures of the General Assembly

1. In operative paragraph 1, article 2, part I, of the annex to A/C.3/57/L.30, it is stated that a Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture shall be established and shall carry out the functions laid down in the Protocol. In accordance with article 5, part II, of the annex, the Subcommittee on Prevention shall consist of 10 members. After the fiftieth ratification or accession to the present Protocol, the number of the members of the Subcommittee on Prevention shall increase to 25. The members of the Subcommittee shall serve in their individual capacity.

2. As stipulated in paragraphs 1 (b) and (c) of article 7, part II, of the annex to the draft resolution, the initial election of the members of the Subcommittee shall be held no later than six months after the entry into force of the Optional Protocol and the States Parties shall elect the members of the Subcommittee.

3. Paragraphs 2 and 3 of article 10, part II, of the annex provide that the Subcommittee on Prevention shall establish its own rules of procedure and that after its initial meeting, the Subcommittee shall meet at such times as provided by its rules of procedure.

4. Paragraph 1 of article 28, part II, of the annex states that the Optional Protocol shall enter into force on the thirtieth day after the date of deposit with the Secretary-

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General of the United Nations of the twentieth instrument of ratification or accession.

5. Paragraph 2 of article 25, part II, of the annex states that the Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee under the Optional Protocol. In this context, it should be noted that the Secretariat does not anticipate that the Optional Protocol will enter into force during the biennium 2002-2003. Subject to the priority that Member States give to the speedy entry into force of the Protocol, it is possible, however, to envisage that the Protocol may enter into force during the biennium 2004-2005.

6. Should the Third Committee adopt the draft resolution, the Secretariat does not anticipate any programme budget implications for the biennium 2002-2003. However, in the event that the Optional Protocol enters into force during the biennium 2004-2005, it is estimated that requirements of approximately $2.1 million would arise for the regular budget. Details are provided in the attached annex. This estimate is based on the assumption that the Subcommittee will consist of 10 members, that it will hold its first organizational meeting in 2004 and that it will hold two sessions in 2005. Assuming that 20 States become parties by 2004, the Subcommittee may decide to plan visits to four States Parties in 2005 to keep the periodicity of visits to each State Party to one visit every five years. It is also assumed (on the basis of the experience of the visits carried out by the Committee against Torture to States Parties to the Convention against Torture) that each visit will be at least of two weeks duration. The minimum secretariat support needed to provide substantive services to the Subcommittee would consist of 1 P-4 post and 1 General Service post in 2004 and 1 P-4 post, 1 P-3 post and 1 General Service post in 2005.

## Annex

# Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: estimated resource requirements

(in United States dollars)

| | *Human rights Section 22* | | | *Department for General Assembly and Conference Management Section 2* | *Administration Section 27* | *Total* |
|---|---|---|---|---|---|---|
| | *Total (net)* | *Staff assessment* | *Total (gross)* | *Conference servicing costs* | *Rent/alterations and common services* | *2004-2005* |
| 2004 | 240 200 | 45 100 | 303 300 | 276 400 | 40 500 | 620 200 |
| First meeting of States Parties | | | - | 50 600 | | |
| First regular session of Subcommittee | | | | 225 800 | | |
| 10 members, one week in Geneva | | | | | | |
| Travel and daily subsistence allowance | 53 200 | | 53 200 | | | |
| Staff requirements (1 P-4, 1 General Service) | 187 000 | 45 100 | 232 100 | | 40 500 | |
| General operating expenses | | | 5 200 | | | |
| Furniture and equipment | | | 12 800 | | | |
| | 578 200 | 66 000 | 658 800 | 765 100 | 38 600 | 1 462 500 |
| 2005 | | | | 765 100 | | |
| Second and third regular sessions of Subcommittee | | | | | | |
| Travel and daily subsistence allowance | 142 800 | | 142 800 | | | |
| Additional 2 days daily subsistence allowance for 8 members to finalize their reports (2 members per visit) | 4 200 | | 4 200 | | | |
| Visits of the Subcommittee to States Parties | 146 300 | | 146 300 | | | |
| Visits to 4 States Parties (1 visit every 5 years) (includes travel and daily subsistence allowance of 2 committee members, 2 staff members and 2 interpreters for each visit) | | | | | 38 600 | |
| Staff requirements (1 P-4, 1 P-3, 1 General Service) | 284 900 | 66 000 | 350 900 | - | | |
| General operating expenses | | | 7 800 | | | |
| Furniture and equipment | | | 6 800 | | | |
| **Grand total, 2004-2005** | **818 400** | **111 100** | **962 100** | **1 041 500** | **79 100** | **2 082 700** |